

# **EXHIBIT 3**

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**From:** Gibbs, J. Evan  
**Sent:** Monday, July 1, 2024 10:39 AM  
**To:** Nicole Koster; Michael Mule; Ken Novikoff; Michael N. Impellizeri; Robert Milman; Colleen O'Neil  
**Cc:** kmulry@FarrellFritz.com; Gorman, Daniel E.; Kent, Paris L.; Adler, Matt  
**Subject:** RE: Siteone Landscape Supply, LLC v. Giordano et al. / 2:23-cv-02084-GRB-SIL; Discovery Deficiencies

Good morning –

As discussed during our meet and confer Friday, we agree to limit Interrogatory No. 7 to both Nick and Vic as follows:

*Identify all sources of income greater than \$1,000 (in the aggregate) from January 1, 2020 through the present from any Defendant in this action.*

This is in line with the proposed narrowing proposed by Mike I. during our call. For the avoidance of doubt, we are asking for *aggregated* amounts received from any Defendant. For example, if Don gave Nick \$100 every month in 2023, we would expect Nick to identify those funds because the income received totals more than \$1,000 in the aggregate.

Please provide all supplemental responses to SiteOne's interrogatories by Friday, July 12, 2024.

Also, please provide us with your availability for a meet and confer regarding Defendants' responses to SiteOne's RFPs. I propose we schedule a one-hour call this Wednesday afternoon to start working through them, although I of course realize some folks may be out of pocket for the Fourth. If Wednesday doesn't work, let's go ahead and schedule an hour on Monday and an hour on Tuesday next week (July 8 and 9).

Thank you all.

**J. Evan Gibbs**

Partner

**troutman pepper**

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**From:** Nicole Koster <NKoster@mllaborlaw.com>  
**Sent:** Friday, June 28, 2024 3:22 PM  
**To:** Gibbs, J. Evan <Evan.Gibbs@troutman.com>; Michael Mule <MichaelMule@mllaborlaw.com>  
**Cc:** Michael N. Impellizeri <Michael.Impellizeri@rivkin.com>; Ken Novikoff <Ken.Novikoff@rivkin.com>; Robert Milman <rob@mmmlaborlaw.com>; kmulry@FarrellFritz.com; Gorman, Daniel E. <Daniel.Gorman@troutman.com>; Kent, Paris L. <Paris.Kent@troutman.com>; Adler, Matt <Matt.Adler@troutman.com>; Colleen O'Neil <Colleen@mllaborlaw.com>  
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Hi Evan,

We are not able to access the documents in this file. Could you please send a new link?

Thank you,

**Nicole M. Koster, Esq.**  
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**From:** Gibbs, J. Evan <[Evan.Gibbs@troutman.com](mailto:Evan.Gibbs@troutman.com)>  
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Mike –

As discussed during our call, here's a link which includes the additional documents from American Community Bank for Vic's account. The Bank is producing the records on a rolling basis, so I anticipate additional productions from them.

<https://emerge.sharefile.com/d-s48599950187346bdaf4ff1d59244288c>

Thank you.

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**From:** Michael Mule <[MichaelMule@mlaborlaw.com](mailto:MichaelMule@mlaborlaw.com)>  
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**To:** Gibbs, J. Evan <[Evan.Gibbs@troutman.com](mailto:Evan.Gibbs@troutman.com)>  
**Cc:** Nicole Koster <[NKoster@mlaborlaw.com](mailto:NKoster@mlaborlaw.com)>; Michael N. Impellizeri <[Michael.Impellizeri@rivkin.com](mailto:Michael.Impellizeri@rivkin.com)>; Ken Novikoff <[Ken.Novikoff@rivkin.com](mailto:Ken.Novikoff@rivkin.com)>; Robert Milman <[rob@mmmlaborlaw.com](mailto:rob@mmmlaborlaw.com)>; [kmulry@FarrellFritz.com](mailto:kmulry@FarrellFritz.com); Gorman, Daniel E. <[Daniel.Gorman@troutman.com](mailto:Daniel.Gorman@troutman.com)>; Kent, Paris L. <[Paris.Kent@troutman.com](mailto:Paris.Kent@troutman.com)>; Adler, Matt <[Matt.Adler@troutman.com](mailto:Matt.Adler@troutman.com)>; Colleen O'Neil <[Colleen@mlaborlaw.com](mailto:Colleen@mlaborlaw.com)>

**Subject:** Siteone Landscape Supply, LLC v. Giordano et al. / 2:23-cv-02084-GRB-SIL; Discovery Deficiencies

**Importance:** High

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Please see the attached.

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